

1 giving any -- given any directions, that you
2 recall?

3 A. I was not.

4 Q. When did you first learn that
5 there would be a reduction in force?

6 A. I don't recall. It was sometime
7 during that week.

8 Q. Sometime after the 16th?

9 A. Correct.

10 Q. Do you think you learned on the
11 16th of the reduction in force?

12 A. No. If the 16th was Monday, no.

13 Q. Why are you certain -- why -- why
14 are you certain about that it wasn't on Monday?

15 A. Because Lou didn't come to the
16 office.

17 Q. Where was Lou?

18 A. Working from home.

19 Q. When did Lou come to the office
20 for the first time that week?

21 A. Tuesday.

22 Q. And you -- you -- did you work
23 from home at all during that week?

24 A. I did not.

25 Q. Did you have a laptop?

1 A. I did.

2 Q. Was it VPN ready?

3 A. It was not.

4 Q. Did it already have VPN?

5 A. It did not.

6 Q. Did you take the laptop with you

7 home on a regular basis?

8 A. I did.

9 Q. Did you have a company-issued

10 cell phone?

11 A. I did.

12 Q. Any other company-issued

13 electronic devices?

14 A. No.

15 Q. Tuesday, when you came to work,

16 do you recall if Lou came to work Wednesday?

17 A. Yes.

18 Q. And how about Thursday?

19 A. Yes.

20 Q. Friday?

21 A. Yes.

22 Q. Were people wearing masks at all

23 during that week?

24 A. No.

25 Q. When did the first -- when did

1 A. I did not.

2 Q. Did you ever have an asthma
3 attack?

4 A. I did not.

5 Q. Did you know that Christie was a
6 competitive cheerleader?

7 A. I did.

8 Q. How did you know that?

9 A. She talked about it often.

10 Q. And you were a cheerleader as
11 well?

12 A. I was.

13 Q. Did you guys ever do any, like,
14 cheerleading together?

15 A. I did not.

16 Q. Did you ever see Christie
17 cheerlead -- cheerlead?

18 A. Just what she would share on
19 social media.

20 Q. Are you friends with Lou Taylor
21 in social media?

22 A. I am.

23 Q. What platforms?

24 A. Instagram and Twitter.

25 Q. When was your 30th birthday?

1 A. Yes.

2 Q. Okay. There's been some
3 discussion about, like, laptops and, like, who had
4 them and who didn't, right?

5 A. (Witness moves head up and down.)

6 Q. You had a laptop. Do you know if
7 Peggy Stephens had a laptop?

8 A. I don't know if she had one then.

9 Q. The people who sat on these four
10 tops, did they have laptops?

11 A. I don't recall.

12 Q. Do you recall there being
13 desktops?

14 A. I don't recall.

15 Q. Do you recall there being lots of
16 desktops in other areas on the second floor?

17 A. I mean, everyone had a computer.
18 I don't recall if they had a tower, if they had a
19 mini, or if they had a laptop.

20 Q. Okay. So let's kind of
21 establish. So what do you mean by "mini"?

22 A. It's a -- the old school towers
23 are this big (indicating).

24 Q. Uh-huh.

25 A. And then we have minis now.

1 A. That's all I recall.

2 Q. And was she a particular type of
3 TC?

4 A. She was not.

5 Q. Was Chris- --

6 A. Well, business management. Same
7 as Christie.

8 Q. I know this may be a little
9 challenging, but, like, do you recall who was in
10 Christie's team?

11 A. Bryan Luecke. And that's all
12 that I can confidently say was on her team at that
13 time.

14 Q. That's -- that's fine.
15 So he was business manager?

16 A. That's correct.

17 Q. And then if you can kind of break
18 down the organizational structure within that --
19 within the team. Like, how does it work?

20 A. There's a business manager,
21 occasionally an accounting manager, senior staff,
22 staff, and then a team coordinator.

23 Q. And the team coordinator is kind
24 of a compliment to the group?

25 A. That's correct. It is a benefit

1 A. We had a Touring department at
2 the time.

3 Q. Okay. So did the TC have to
4 coordinate with the Touring department?

5 A. Occasionally, but the Touring
6 department ran point on all things touring and had
7 their own admin team.

8 Q. Okay. And what were the admin
9 team called there?

10 A. There was an executive assistant
11 to the touring director.

12 Q. Okay. Anybody else?

13 A. Just Kristen Mir, that did the
14 HR.

15 Q. Are what kind of HR stuff was she
16 doing? I didn't really understand that.

17 A. She ran payroll for all the
18 clients' tours, got them on payroll, made sure
19 they were paid, and that was pretty much it.
20 Full-time job at the time.

21 Q. You heard Ms. Taylor talk about
22 there being some commission bases; is that fair?

23 A. I wasn't in here for Lou's.

24 Q. Oh. Are you aware that touring
25 was based on -- or con- -- the touring services

1 2014.

2 Q. And slowly, over time, you --
3 that -- the size of that department's grown?

4 A. That's correct.

5 Q. Now, there are -- so touring is
6 one service that y'all provide, but y'all make --
7 or Tri Star generates fees through providing other
8 services; is that right?

9 A. That's correct.

10 Q. What other services do they
11 provide?

12 A. Business management.

13 Q. All right. What else?

14 A. Royalties, tax, and concierge
15 family office services.

16 Q. Anything else?

17 A. That's it.

18 Q. Business management, we've kind
19 of gotten the --the structure of the -- the teams,
20 but let's just kind of break down what the
21 accountants do. What -- do the accountants look
22 at different revenue streams?

23 A. They do.

24 Q. What are some of the different
25 revenue streams that you're aware of?

1 Q. Was 2019 a good year or a bad
2 year financially for Tri Star?

3 A. I am not aware of the financials.

4 Q. Were there layoffs in 2019?

5 A. I don't recall.

6 Q. Were there -- was there hiring in
7 2019?

8 A. Yes.

9 Q. Going into 2020, y'all were
10 trying to fill a lot of positions, do you recall
11 that?

12 A. I do.

13 Q. Did you have -- like, as -- as an
14 executive assistant, I assume with being the
15 executive assistant to the CEO, that you also have
16 to cover a lot of areas; is that fair?

17 A. Yes.

18 Q. Whatever she deals with, you deal
19 with in some form or fashion?

20 A. That's correct.

21 Q. If she needs something, you're --
22 you're usually the primary conduit to get it; is
23 that fair?

24 A. That's correct.

25 Q. Your average day, is it -- are

1 they longer than normal hours?

2 A. Yes.

3 Q. You can get calls at any point in
4 the day; is that fair?

5 A. Correct.

6 Q. At night?

7 A. Correct.

8 Q. Did you have any understanding as
9 to why y'all were -- Tri Star was hiring so much
10 at -- in 2019, or trying to hire?

11 A. We were growing.

12 Q. Were there any particular new
13 clients that came in?

14 A. Yes.

15 Q. Were they touring clients?

16 A. I don't recall.

17 Q. Are most of Tri Star's clients in
18 2019 touring?

19 A. Touring made up a large
20 percentage of our clients.

21 Q. But you don't know that with
22 respect to financials, do you?

23 A. At the time, I did not.

24 Q. So when you say touring was a
25 large percentage, you're saying -- what are you

1 strong online presence, like TikTok or something
2 like that, who generate, you know, so much for
3 each posting, does that money come -- is that
4 money that's managed by Tri Star?

5 A. It is, and depending on their
6 structure, we would -- if it's -- if they're
7 commission-based, we would commission off of that.

8 Q. There was something that you said
9 that I wasn't -- I don't think I've heard about.
10 The concierge family office.

11 A. Uh-huh.

12 Q. Tell me about that.

13 A. So, again, having a team
14 coordinator was a benefit of our firm. Something
15 our competitors don't do. And the team
16 coordinators offer -- offered concierge services,
17 that either our competitors don't offer, or if
18 they do, the accountants are doing it.

19 And so it's calling the dog
20 walker, setting up utilities, changing your
21 address, booking you an appointment at the DMV to
22 get your license renewed, for -- seeing through
23 the process of renewing your passport. And that
24 is a concierge service that our competitors,
25 again, don't offer, but it is a benefit that we

1 offer our clients. But not a necessity.

2 Q. How long has that concierge
3 family office component or benefit, as you put it,
4 been a part of the Tri Star's business model?

5 A. The concierge and family office
6 are two different things.

7 Q. Oh, they're two separate things?

8 A. Uh-huh.

9 Q. I'm sorry, I missed the
10 distinction.

11 A. Our concierge services have been
12 there since 20- -- at least 2012, when I started.

13 Q. Okay. And then the family
14 office?

15 A. Family office is an -- a term
16 used for accounting to service high net worth
17 individuals.

18 Q. And give me a basic -- basic
19 explanation of what a family office for high net
20 worth individuals entails with respect to
21 accounting.

22 A. When you have a family with
23 extreme wealth, family offices services mean we
24 handle everything for them. Everything you could
25 possibly think of that they touch, we handle.

1 A. -- that our competitors do not
2 offer.

3 Q. Okay. So tell me -- that's where
4 I think I lost you or you lost me.

5 What is the concierge service?

6 A. Our team coordinators. They call
7 the dog walkers, they renew driver's licenses,
8 they renew passports, they turn on utilities, they
9 go to the bank and pick up cash and meet the
10 client and give it to them. Where if you were
11 with a competitor, you do all of that yourself, or
12 the accountant does it, and that's not the best
13 use of an accountant's time.

14 Q. Are team coord- -- do team
15 coordinators bill?

16 A. They do.

17 Q. Did they bill in 2020?

18 A. They did.

19 Q. Do you -- can you give me an
20 estimate or a range of what they -- a team
21 coordinator was billed out to clients to?

22 A. I -- maybe [REDACTED] an hour.

23 Q. Okay.

24 A. And probably [REDACTED] percent of their
25 time was billable. But again, if a client was

1 commission or on a retainer, it didn't matter. It
2 was -- it all rolled up.

3 Q. And do you know how much Christie
4 was making in 2020?

5 A. I don't.

6 Q. Would you -- I mean, do you have
7 any idea now what people make?

8 A. I do.

9 Q. Okay. Are -- do you still have
10 team coordinators?

11 A. We do.

12 Q. And what's the high end of a team
13 coordinator in 20- -- 2022?

14 A. In Nashville? 73-.

15 Q. The AMEX liaison position, you're
16 aware of that?

17 A. I am.

18 Q. When did you first become aware
19 of the AMEX liaison position or vacancy?

20 A. There never was a vacancy.

21 Q. Okay. When did the -- when did
22 you first become aware of there being an AMEX
23 liaison position being established?

24 A. I don't recall.

25 Q. Do you recall that an AMEX

1 liaison position was actually established?

2 A. I know that Christie did the
3 work.

4 Q. Did -- was Christie selected for
5 that position or those responsibilities?

6 A. I don't know.

7 Q. You just know that she did the
8 work?

9 A. That's correct.

10 Q. Did she stop being a team
11 coordinator when she became the -- or started
12 doing the work of an AMEX liaison?

13 A. She did not.

14 Q. What -- what was the scope of
15 work for -- strike that.

16 What was the scope of clientele
17 for the AMEX liaison?

18 A. I don't understand the question.

19 Q. What clients had acc- -- bas- --
20 what clients would need the services of an AMEX
21 liaison? All your clients, a subsection of your
22 clients?

23 A. Any client that had an AMEX.

24 Q. And let's just say, just for the
25 sake of numbers, you have 100 clients, right? Is

1 it -- the number of AMEXes, is it just dependent
2 on the number of clients, but also the number of
3 people that work for them and the numbers in the
4 family affair?

5 A. That's correct.

6 Q. So do most of your clients -- do
7 most Tri Star clients have AMEXes?

8 A. I don't know.

9 Q. There had never been an AMEX
10 liaison person, as far as you know, until Ms.
11 Andrews, and there hasn't been one since?

12 A. That's correct.

13 Q. What do you know about the AMEX
14 liaison duties?

15 A. I know that she -- if there was
16 an issue with someone's card, she's the one that
17 called AMEX. And to my understanding, that's all
18 she handled as the AMEX liaison at the time.

19 Q. So she did that for the seven
20 teams that you described?

21 A. That's correct.

22 Q. The seven business management
23 teams?

24 A. That's correct.

25 Q. So if the client or anybody's --

1 or any client's, whatever dependent, let's put it
2 that way, needed some help with the AMEX, they
3 were directed to Christie?

4 A. They were not directed to
5 Christie.

6 Q. How was it handled, then?

7 A. Internally. That client would
8 reach out to their contact within the firm, and
9 that firm -- person, internally, would talk to
10 Christie.

11 Q. Why -- what did you see the
12 benefit? Do you -- why add that step? Why
13 couldn't that per- -- person or con- -- point of
14 contact handle the AMEX?

15 A. At the --

16 Q. Or why is it -- why was that
17 inefficient, I guess?

18 A. At the time, we had a contact at
19 AMEX that was easy to get ahold of, and Christie
20 had the relationship with him.

21 Q. What was that?

22 A. His name was David Rothman.

23 Q. Rossman [sic]?

24 A. Rothman.

25 Q. Rothman.

1 What was the relationship? I
2 don't understand the relationship. Do you know?

3 A. She had his phone number.

4 Q. And why was that beneficial for
5 Tri Star?

6 A. Well, it was beneficial that she
7 had a relationship with him.

8 Q. But how -- okay. Well, how did
9 that benefit translate to a benefit for Tri Star
10 and Tri Star's clients?

11 A. She could easily call AMEX and
12 get someone to pick up the phone and unfreeze a
13 card. However, that relationship was transitioned
14 to every single team coordinator when she left and
15 everyone was given the opportunity to speak with
16 David, including myself.

17 Q. What do you mean including
18 yourself?

19 A. If I needed to call him and say:
20 Can you help me with Lou's card, he would pick up
21 the phone. So we were all privy to his
22 relationship.

23 Q. So is it -- is it -- I think I
24 heard some -- some reference to VIP Services with
25 AMEX. Are you familiar with that phrase?

1 MS. HART: Object to form.

2 BY MR. ARCINIEGAS:

3 Q. You agree with that?

4 A. Yeah, I don't think it was of
5 substance, which is why it was dispersed to the
6 teams.

7 MR. ARCINIEGAS: How long we been
8 going?

9 THE COURT REPORTER: Right at an
10 hour.

11 MR. ARCINIEGAS: You guys want to
12 take a break?

13 MS. HART: Sure, if you need a
14 break.

15 MR. ARCINIEGAS: Yeah, we can
16 take a break. Let's just take ten
17 minutes.

18 (Brief recess observed.)

19 BY MR. ARCINIEGAS:

20 Q. All right. We're back on the
21 record.

22 There are some clients that are
23 nontouring; is that fair?

24 A. Yes.

25 Q. Okay. What are some of the

1 nontouring clients?

2 A. We have actors.

3 Q. Okay.

4 A. Actresses, models and high net
5 worth families.

6 Q. In 2020, who were some of the
7 high net worth families that you know to be
8 disclosed to the public?

9 A. I'm not sure I can share that
10 with my Confidentiality Agreement.

11 MS. HART: I'm going to object to
12 relevance of that. Why does it matter
13 who the clients are?

14 MR. ARCINIEGAS: Well, the
15 defense here has been talking about how
16 there was a loss of touring income as
17 the -- you know, without getting --
18 otherwise, I mean, it kind of opens the
19 door for looking at financial
20 information, requesting it or, you know.
21 But I don't want to do that. I'm trying
22 to get just, like, a basic overall
23 picture of the company in terms of who
24 are high net worth individual families.

25 MS. HART: You want to know the

1 A. Typically, the spring and summer.

2 Q. Okay. What were some of the big
3 tours that y'all lost?

4 A. [REDACTED] was the
5 biggest.

6 Q. Okay. And so that was
7 prospective income y'all were losing; fair?

8 A. That's correct.

9 Q. Okay.

10 A. Well, it was planned income.

11 Q. I'm sorry?

12 A. It was planned income that we
13 were losing.

14 Q. Sure. And Florida Georgia --
15 Georgia Line had a very good 2019; is that fair?

16 A. I don't recall. I'm sure they
17 did.

18 Q. Because I -- I just Googled it,
19 and it says, like, [REDACTED] made,
20 like, 55 million, something like that, in touring
21 revenue in 2019, right?

22 A. I'm sure they did. I don't know.

23 Q. So that -- when they make money
24 in 2019, when does Tri Star make their cut?

25 A. It depends on how the contract's

1 structured.

2 Q. Okay.

3 A. Or the agreement, I should say,
4 between us and the client.

5 Q. And so without getting into the
6 particulars of a client, that structure could be,
7 like, at the end of the tour?

8 A. It could be at the end of the
9 tour, it -- it's really dependent on when they get
10 the money and then how our agreement reads with
11 them.

12 Q. But isn't that part of what the
13 business management group and tour management
14 groups are supposed to do, collect that money?

15 A. The Touring team is, yes.

16 Q. Yeah.

17 A. But it depends on when the venues
18 pay them out and the show promoters.

19 Q. I mean, most of your clients,
20 isn't it fair to say, want to get paid when they
21 do the shows or before they do the shows?

22 A. Everyone wants to get paid on
23 time. It depends on the contract with the show
24 promoter.

25 Q. So let me ask you this. Like,

1 Q. I mean, that's what high net
2 worth people have, they have multiple teams that
3 interact with each other; fair?

4 A. That's correct.

5 Q. I got a bigger version of what we
6 marked as Plaintiff's Exhibit 1 to the first
7 deposition. We're just going to continue
8 numbering from that point. But this is just that
9 same exhibit, just bigger?

10 MR. ARCINIEGAS: Do you guys want
11 a copy?

12 MS. HART: Sure. That would be
13 great. Thank you.

14 BY MR. ARCINIEGAS:

15 Q. So have you seen what I put in
16 front of you as Plaintiff's Exhibit 1?

17 A. I have.

18 Q. Okay. When did you first see
19 that document?

20 A. April 2020.

21 Q. Why did you see it in April of
22 2020?

23 A. Because I would shepherd
24 information between Lou and Yolanda.

25 Q. Why were you shepherding this

1 Starlinks.

2 And that's -- those systems are
3 distinct from Litmus?

4 A. Litmus is a training platform.

5 Q. Okay. That's all it is?

6 Other than Ms. Andrews, can you
7 think of any other team coordinators that had
8 laptops in 2020?

9 A. I do not.

10 MS. HART: Object to the form.

11 She didn't say Ms. Andrews had a laptop.

12 BY MR. ARCINIEGAS:

13 Q. Were you aware that Ms. Andrews
14 had a laptop in 2020?

15 A. I was. For emergencies.

16 Q. What type of emergencies?

17 A. AMEX.

18 Q. Why did she -- Ms. Andrews need a
19 laptop for AMEX emergencies?

20 A. In case there was an emergency on
21 a night -- on a night or weekend.

22 Q. And so --

23 A. So she could e-mail David.

24 Q. But is it your understanding that
25 the limit of what Ms. Andrews did for people was

1 just sending e-mails through the AMEX?

2 A. That is my understanding.

3 Q. Okay. But it might be? Could
4 she also have been accessing their actual
5 accounts?

6 A. I don't know.

7 Q. When you say "only for
8 emergencies," did that mean that she was allowed
9 to take it so in the event of an emergency?

10 A. That's correct.

11 Q. So she was allowed to have a
12 laptop at the office and transport it each day to
13 home; fair?

14 A. That's correct.

15 Q. And same with you at that time;
16 fair?

17 A. That's correct.

18 Q. And when you took your laptop
19 home, would you be able to access Starlinks?

20 A. I don't recall.

21 Q. Or OTP?

22 A. Definitely not OTP.

23 Q. Were you part of the Starlinks
24 beta group?

25 A. I was.

1 copy for you.

2 MS. HART: I got it. Thank you.

3 BY MR. ARCINIEGAS:

4 Q. So this is all about the space
5 heater or the heating. Is it called space heater
6 -- a space heater in 2018. Were you aware of the
7 space heater issue in 2018?

8 A. I was.

9 Q. Do you recall what the policy
10 change was?

11 A. The policy was changed because
12 space heaters were flipping our breaker.

13 Q. Flipping?

14 A. The breaker and killing all of
15 our computer power.

16 Q. Okay. And so how was the policy
17 changed, to get rid of them?

18 A. The policy was to get rid of
19 them.

20 Q. And then was it changed back to
21 allow them?

22 A. Only in Christie's area. And the
23 IT manager Mike moved the plug that it was plugged
24 into to a different circuit so it wouldn't blow
25 those computers.

1 Q. Okay. The information that you
2 received in April of 2019, you then shared with
3 Lou Taylor?

4 A. I'm sure I did.

5 Q. And when you shared information
6 like this, will you also present Lou with a copy
7 of the e-mail?

8 A. If she asks for it.

9 Q. Do you recall if she asked for
10 this e-mail chain?

11 A. I do not remember.

12 Q. And if she asked for an e-mail,
13 would you print it or forward it to her?

14 A. It depended on where she was and
15 what she wanted.

16 Q. So you could have presented Lou
17 Taylor this e-mail, Plaintiff's Exhibit 22, in
18 print format without having to ever forwarded it
19 to her, correct?

20 A. Yes.

21 Q. Is there any particular, like,
22 situation where she would prefer it being printed
23 than forwarded, that you can think of? Like, is
24 there, like, a pattern here?

25 A. No.

1 or less?

2 A. I see that, yes.

3 Q. What was the arrival time before
4 that, do you know? Like, generally, what's the
5 expectation?

6 A. I don't know. I believe that the
7 time -- the expectation was that we were all there
8 by 9:00.

9 Q. Okay. Something like that?

10 A. Yeah.

11 Q. And here it says: "Any delay
12 beyond 9:30 requires communication via company
13 e-mail identifying an expected time of arrival, as
14 well as any other pertinent information."

15 Did -- beyond what I just read,
16 do you know, like, the details of what types of
17 pertinent information needed to be provided, if
18 any?

19 A. Yes.

20 Q. What type?

21 A. When she planned to arrive.

22 Q. Okay. Thank you.

23 But I mean, like, the type of --
24 what -- other than the time of arrival, what other
25 information could qualify as pertinent? Did --

1 to do with accommodations?

2 A. No, it's not.

3 Q. Okay. What do you understand
4 accommo- -- you understand "accommodations" is
5 kind of a -- has a legal term?

6 A. I do.

7 Q. For what statute?

8 A. Oh, I don't know that.

9 MS. HART: Objection, calls for a
10 legal conclusion.

11 BY MR. ARCINIEGAS:

12 Q. Are you aware that -- of
13 "accommodation" or "reasonable accommodation"
14 being a phrase in the Americans with Disabilities
15 Act?

16 A. I am.

17 Q. Okay. And then No. 4 says:
18 "Discuss the seriousness of the situation with
19 your healthcare providers and build a support team
20 to help you manage any conditions that are
21 contributing to this behavior."

22 Did you -- did you understand
23 that -- what health conditions were you aware of,
24 if any, at that time?

25 A. I was aware that she had sleep

1 issues.

2 Q. Okay.

3 A. She talked about it. She had, I
4 don't know if it was ADD or what, but she used
5 Adderall and proudly talked about it in the
6 office.

7 Q. Okay.

8 A. She had headaches. But I also
9 knew, again, based on my own research --

10 Q. Uh-huh.

11 A. -- that it wasn't my place to
12 have that conversation with her.

13 Q. Sure. I --

14 A. Yeah.

15 Q. I respect that.

16 A. And that goes back to I didn't
17 have conversations with staff and I don't let
18 myself have conversations with staff, because I
19 know what's right and what's not right.

20 Q. Okay.

21 A. And so I would not divulge into
22 conversations with her like that.

23 Q. Wait. What do you mean
24 "divulge"?

25 A. I know she would openly talk

1 about health issues with people.

2 Q. Right.

3 A. I never got into those
4 conversations with her because I didn't think it
5 was appropriate.

6 Q. Okay. That's fine. I just
7 didn't understand what you meant.

8 But -- so are you saying that you
9 wouldn't divulge that information to Lou Taylor?

10 A. No. It's not my place. That's
11 HR's job, if necessary.

12 Q. I'm sorry, where are you
13 pointing?

14 A. I'm just saying --

15 Q. Oh, okay. Sorry.

16 A. If H- -- if it's necessary for
17 Lou to know, HR would tell them. But Lou also
18 knows it's not her place to know everything about
19 staff when it comes to medical reasons.

20 Q. What do you mean by that?

21 A. It's --

22 Q. That, I'm confused by.

23 A. If someone has medical issues,
24 it's not the company -- the whole company doesn't
25 have to know about it. That's between the person

1 and HR.

2 Q. But what do you mean "Lou also
3 knows that," or -- I think that's how you phrased
4 it.

5 A. She knows that -- I mean, she's
6 not going to ask what her health issues are.

7 Q. And that's something that she --
8 Lou Taylor's communicated to you directly?

9 A. No, that is an assumption I have
10 made.

11 Q. But that knowledge base is based
12 on your personal knowledge not to ask those type
13 of questions or not to -- to divulge that type of
14 information, is based on information you gleaned
15 from the Litmus training --

16 A. I --

17 Q. -- or somewhere else?

18 A. I don't recall.

19 Q. So it could be the Litmus
20 training?

21 A. It could be.

22 Q. Okay. And No. 5, it says: "In
23 the absence of any documented -- documented
24 condition, cont- -- continuing to arrive late to
25 work, i.e., outside the hours of 9:00 a.m. and

1 else, like: Oh, she's running something for a
2 client or doing something for a client?

3 A. He would tell me -- if she was
4 doing something for a client, he would have told
5 me.

6 Q. Right. That's what I'm asking.

7 A. But nine out of -- nine times out
8 of ten, it's because she had personal issues that
9 couldn't get her to work on time.

10 Q. So you think you asked about this
11 ten times, or more?

12 A. I don't recall.

13 Q. Okay. So what you're saying is
14 -- the things you do recall is that she had some
15 sort ter- -- personal issue when you asked
16 Mr. Luecke, right?

17 A. That's correct.

18 Q. Did you ask what type of personal
19 issue?

20 A. Yes.

21 Q. Okay. And what type of personal
22 issues were you told?

23 A. She slept in.

24 Q. Okay.

25 A. She forgot to set her alarm. She

1 A. For this.

2 Q. Okay. And the documents you
3 gathered, did you ever give them to Lou Taylor?

4 A. No.

5 Q. Who did you give them to?

6 A. To Tara Swafford.

7 Q. Okay. Before you delivered them
8 to counsel, did you -- is there -- is there a set
9 that you -- is kept on the server still?

10 A. I don't remember.

11 Q. So in December of 2021, you were
12 sending these to Ms. Swafford?

13 A. I was gathering documents as
14 requested.

15 Q. Yeah, I -- I get that part.

16 A. So I gathered them, and I had to
17 organize them, and then send them to Tara.

18 Q. Okay. And here it says: "I want
19 to take Christie to 52,5-," right, as of July
20 2019; is that fair?

21 A. Yes.

22 Q. And that's Ms. Stephens making
23 that recommendation?

24 A. That's correct.

25 Q. So do you know what is meant here

1 in -- on page 161 where it says: "With her
2 anniversary date being in August, please add the
3 paragraph about the loyalty being skipped."

4 Do you know what the "loyalty
5 being skipped" is?

6 A. At the time, we received loyalty
7 raises every year.

8 Q. Okay. So they were skipping the
9 loyalty raises for Ms. -- for who in this one, do
10 you know?

11 A. I don't know if they're talking
12 about Christie or [REDACTED]

13 Q. Can you tell by the next
14 sentence, the context of the -- his payroll or
15 anything like that or you'd be guessing?

16 A. Well, I know that they're talking
17 about Christie in that sentence --

18 Q. Right.

19 A. -- but I don't know what they're
20 talking about in the first -- or who they're
21 talking about in the first sentence.

22 Q. So other than loyalty raises,
23 what other types of raises are you aware of?

24 A. Performance raises.

25 Q. Okay. Any other types of raises?

1 A. Not that I know of.

2 Q. All right. Let's take a
3 ten-minute break if that's okay.

4 (Brief recess observed.)

5 BY MR. ARCINIEGAS:

6 Q. Ms. Kinder, do you recall
7 Mr. Luecke ever telling you that some of Ms.
8 Andrews' absences were related to allergies?

9 A. I don't recall.

10 Q. But if there's e-mails to the --
11 show that he sent them to you, you wouldn't
12 dispute those, correct?

13 A. That's correct.

14 Q. Now, do you recall that after Ms.
15 Andrews was terminated, that she -- there was some
16 exchange between her and Ms. Simpson about whether
17 she had quit or whether she had been part of --
18 terminated, or anything like that?

19 A. I don't recall.

20 Q. Okay. Do you recall having any
21 conversations with Lou at that time?

22 A. About Christie?

23 Q. Yes.

24 A. I did not.

25 Q. How is it that you think that

1 Christie was able to keep her job so long out any
2 -- with all these performance issues she was
3 having?

4 A. You want to know what I think?

5 Q. Yeah.

6 A. So in my opinion?

7 Q. Yeah.

8 A. In my opinion, the company was
9 very gracious to her. In my opinion, we liked her
10 personally, myself included. And in my opinion,
11 we wanted the best for her, and we made every
12 single effort we could to help her perform to her
13 highest ability and to make accommodations for her
14 so that she could perform to her highest ability.

15 Q. So other than tardiness and
16 absence, what was the problem with her -- with Ms.
17 Andrews' job performance?

18 A. Because of her tardiness and
19 absences, she would miss deliverables and
20 deadlines.

21 Q. And where is that documented, if
22 anywhere?

23 A. It would be documented in her
24 work product or someone taking over and finishing
25 something for her.